

REMARKS

Applicant respectfully requests reconsideration of the rejection of this application as examined pursuant to the office action of January 20, 2006. In the office action, Claims 1-26 were examined. By the accompanying amendment Claim 26 has been cancelled. New Claims 27-31 have been added. Therefore, Claims 1-25 and 27-31 are pending.

In the office action, Claims 1-5, 7-11 and 13-26 were rejected under 35 USC § 103(a) as being unpatentable over published pending US application Publication No. 2002/0010663 to Muller. Official Notice was taken of financial market information sources and published pending US application Publication No. 2002/0123952 for limited purposes. Claim 26 was rejected under 35 USC § 101 as being directed to non-statutory subject matter. Claims 6 and 12 were objected to as being made dependent upon a rejected base claim but were otherwise deemed allowable.

The office action received included a copy of one Information Disclosure Statement By Applicant, which document listed one Non-Patent Literature cite initialed by the examiner. No other patent and non-patent literature documents submitted by the Applicant with the original filing of the application were included with the office action. However, a first Information Disclosure Statement By Applicant listing five (5) US patent documents and a second Information Disclosure Statement By Applicant listing 10 non-patent literature documents (with copies of each) were filed with the original application on July 25, 2003. It is hereby requested that the next communication from the examiner include copies of the other Information Disclosure Statements By Applicant initialed by the examiner. Please contact Applicant's representative identified below if there are any concerns regarding this request.

While Applicant respectfully submits that Claim 26 is directed to patentable subject matter, that claim has nevertheless been cancelled by this amendment. Applicant has also taken this opportunity to amend independent Claims 1 and 23 to further distinguish the present invention from the cited reference. Specifically, Claim 1 has been amended to note that the method of the present invention enables a contributor to access information of the second information group provided the information accessed from the second information group includes a defined minimum amount from the one or more other contributors. Claim 23 has similarly been amended to note that the method of the present invention enables each contributor

to access information of the second information group provided the information accessed from the second information group includes a defined minimum amount from the other contributors.

This aspect of the invention is a primary aspect of the description of the invention provided in dependent Claims 6 and 12, which the examiner has deemed to be allowable.

New independent Claim 30 and the claim that depends thereon further distinguish the present invention from the system described in the cited Muller reference. Claim 30 describes a method to enable contributors to access market information related to its goods and/or services and the related goods and/or services of others without allowing a user to determine what information of the latter set of goods and/or services came from which other contributors and provided the contributor seeking accessing regarding the latter set of goods and/or services information has provided the same type of information of its own to that latter set. These features of the present invention clearly distinguish it from the system described in the cited references.

The 35 USC § 103(a) Rejections

Claims 1-5, 7-11 and 13-26 as filed were rejected as being obvious in view of the combination of Muller and, apparently, Official Notice regarding financial market quotes and bids as well as the Lipper reference. A careful review of the Muller reference clearly shows that it is directed to rapid filtering of large swaths of data received within short time periods. That information is then used to produce an output, which is a quote on a stock or bond price. The present invention as described in amended Claims 1 and 23 is not focused on the time sensitivity of the information, but instead on the importance of having sufficient relevant information of a certain type to permit access to that type of information provided by others who are ordinarily competitors. In addition, the present invention as claimed in new independent Claim 30 is directed to the “give-get” relationship of information gathering and access permission. That is, a contributor can get valuable information relevant to its industry as long as it gives its own relevant and valuable information to the data set. Muller fails to suggest the importance of gathering information and permitting access to information on the basis of a minimum data set, as indicated by the allowability of Claims 6 and 12. The Lipper reference similarly fails to disclose such an accessibility arrangement.

Applicant also respectfully notes that Muller fails to suggest the give-get arrangement referred to in pending dependent Claim 3. In that claim, the method of the present invention is described as including the additional step of denying to the contributor access to selected information from the second information group if the contributor does not provide to the information database the same type of selected information of its own. It is stated on page 4 of the January 20, 2006, office action that it would be obvious to one of ordinary skill in the art to refuse to cooperate with anonymous sources as the basis for rejecting this independent claim. However, the invention is not described in that manner in that claim. It is not an issue of denying access to a party that does not contribute information, as indicating in the office action. Instead, the present invention involves an aspect of access to a party that is already a contributor. The limitation is directed to the type of other contributor information accessible by a particular contributor. This is the give-get aspect of the present invention. If you have not given a particular type of information you cannot access that same type of information of others. Muller does not describe or suggest that method of restriction. Moreover, Muller does not teach to look to any other source to identify that method of restriction on data accessibility. The give-get aspect of the present invention also distinguishes it from the cited Muller reference. Lipper similarly fails to describe such a give-get arrangement. The office action provides no indication of any reference teaching data access restriction in the give-get format.

Applicant respectfully notes that the amendments made to independent Claims 1 and 23 and the arguments presented successfully traverse the rejection of Claims 1 and 23 and the claims dependent thereon under 35 USC § 103(a) based on the Muller reference either alone or in combination with either or both of Official Notice and the Lipper reference. Withdrawal of the rejection of Claims 1-5, 7-11 and 13-25 is therefore requested.

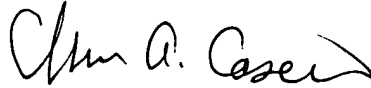
Applicant respectfully notes that the new claims added as being dependent on amended Claims 1 and 23 are fully supported in the specification as filed and therefore add no new subject matter. Further, new independent Claim 30 and the claim dependent thereon relate to the give-get aspect of the invention and are fully supported in the specification as filed. They therefore add no new subject matter. Applicant submits that these claims would overcome any rejection of the type presented in the January 20, 2006, office action with respect to independent Claims 1 and 23 as originally filed and dependent Claim 3 as originally filed.

CONCLUSION

In view of the foregoing amendments made to the claims and the remarks made herein, Applicant respectfully suggests that the rejections under 35 § 103(a) have been successfully traversed. Allowance of pending Claims 1-25 and 27-31 is therefore requested.

By this amendment, one claim has been cancelled and nine new claims have been added, one of which is independent. The total number of claims presently pending is 30, and the number of presently pending independent claims is three. The application was originally filed with 26 total claims and the appropriate filing fee paid for six claims in excess of 20. Therefore, an additional filing fee in the amount of \$100 is due for four claims in excess of the number of claims paid for in the original application filing. No additional filing fee is required for the number of independent claims pending. A check in the amount of \$100 for the additional filing fee is included herewith.

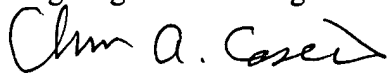
Respectfully submitted,



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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on April 14, 2006. It is hereby requested that this filing be granted a filing date of April 14, 2006.



Chris A. Caseiro